

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

ANGEL ABDULSAMI ABDULLAH,)	
)	
Plaintiff,)	Civil Action No. 7:20cv00723
)	
v.)	<u>ORDER</u>
)	
MARTIN KUMER, <i>et al.</i> ,)	By: Hon. Thomas T. Cullen
)	United States District Judge
Defendants.)	

Plaintiff Angel Abdulsami Abdullah, proceeding *pro se*, filed this action under 42 U.S.C. § 1983. By Memorandum Opinion and Order entered March 22, 2021, the court dismissed the action without prejudice after Abdullah failed to comply with the court's March 5, 2021 Order that required him to submit the filing fee or otherwise respond. (*See* ECF Nos. 19 and 20.) Abdullah subsequently filed a notice of address change (ECF No. 21), a motion for an extension (ECF No. 22), and two motions to reopen the case (ECF Nos. 24 & 27). In his motions, Abdullah explained that he did not receive the court's March 5, 2021 Order because his address had changed again and he had not yet notified the court of that change of address.¹ Upon consideration of his motions, the court reopened the action. (*See* ECF No. 28.) The court's Order came back as undeliverable and with no forwarding address. (*See* ECF No. 29). Accordingly, the court dismissed the action again and noted that the dismissal was without prejudice to Abdullah's opportunity to refile the action, subject to the applicable statute of limitations. (*See* ECF Nos. 30 & 31.) The court's Memorandum Opinion and Order dismissing

¹ The court notes that Abdullah was advised multiple times that it was his responsibility to notify the court *immediately*, in writing, of his release or change of address. (*See* ECF Nos. 3 & 5.) He was also advised that failure to maintain a current address with the court would result in dismissal of his case. (*Id.*)

the case were also returned to the court as undeliverable and with no forwarding address. (*See* ECF No. 33.) More than a month after the dismissal, Abdullah has filed a motion to reopen the case, which the court construes as a motion for reconsideration. (*See* ECF No. 34.)

Despite having been advised that it was his responsibility to notify the court immediately of any change of address (*see* ECF Nos. 3 & 5), mail sent to Abdullah has come back as undeliverable on many occasions (*see* ECF Nos. 11, 29, 33, & 37). The court warned Abdullah that failure to immediately notify the court of a change of address would result in dismissal of his case. (*See* ECF Nos. 3 & 5.) Given Abdullah's repeated non-compliance with the court's orders and the facts that the court properly dismissed the case for failure to comply and that the dismissal was without prejudice to Abdullah's opportunity to refile his claims, it is **ORDERED** that Abdullah's motion for reconsideration (ECF No. 34) is **DENIED** and this action is **STRICKEN** from the active docket.

The clerk is directed to forward a copy of this Order to the parties.

ENTERED this 11th day of August, 2022.

/s/ Thomas T. Cullen
HON. THOMAS T. CULLEN
UNITED STATES DISTRICT JUDGE